

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30648 of 2008
1. SUJIT KUMAR 2.Ajeet Kumar both sons of Shri
Jitendra Mahto, resident of Mohalla Ghogha Ghat, Bazaria Tola, P.S. Sultangaj,
district Patna-----petitioners

Versus
STATE OF BIHAR-----opp. party

with

Cr.Misc. No.32964 of 2008
RAMDEO MAHTO son of late Vishwa Nath Mahto of
Mohalla Ghagha Ghat, Baxaria Tola, P.S. Sultan Ganj, district Patna--petitioner
Versus
STATE OF BIHAR-----opp. party

3. 10.11.2008 Heard learned counsel for the petitioners and
the State.

The petitioners, who are named accused in a
police case registered under Section 302 and
other provisions of the Penal Code including
Section 27 of the Arms Act, apprehend arrest.

The common submission on their behalf is that
the assailant has been named as Bijendra Mahto.

The informant, who is an eye-witness, has
alleged that the petitioners caught hold of the
deceased and thereafter co-accused shot the
deceased dead.

The petitioner in Cr.Misc.No. 32964 of 2008
states at paragraph 14 that he has no criminal
antecedent. The antecedent report called for by
this Court states that he is a chargesheeted

accused and in paragraph 108 of the case diary states that he is not an accused in any case.

Let the Sr.Superintendent of Police look into this aspect of the matter and take appropriate action in accordance with law both on the issue concerned and those that may responsible for the folly.

This Court is not persuaded to grant the privilege of anticipatory bail.

The applications are rejected.

(Navin Sinha,J.)

